ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address)	FOR COURT USE ONLY			
LAWRENCE J. GORNICK (SBN 136290)	#MD0D0ED #M =D			
LEVIN SIMES KAISER & GORNICK	ENDORSED FILED			
44 MONTGOMERY STREET, SUITE 3600	SUPERIOR COURT			
SAN FRANCISCO, CA 94104	COUNTY OF SAN FRANCISCO			
TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 98 E-MAIL ADDRESS (Optional):				
ATTORNEY FOR (Name): PLAINTIFFS	NOV 7 2007			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCI	GORDON PARK-LI, CLERK			
STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS:				
CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:	BY:			
PLAINTIFF/PETITIONER:	CASE NUMBER:			
PETER JAY GERBER and MIRIAM GOLDBERG	CGC-07-468577			
DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTI	CALS, INC., et al.			
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:			
DATE: TIME: DEF	эт: 3003606			
(Separate proof of service is re-	•			
At the time of service I was at least 18 years of age and	not a party to this action.			
2. I served copies of :				
a. 🛛 summons				
b. Attemptive Dispute Resolution (ADR) pack	200			
 c. ⊠ Alternative Dispute Resolution (ADR) pact d. □ Civil Case Cover Sheet (served in complex) 				
d. Civil Case Cover Sheet (served in complex cases only) e. cross-complaint				
f. \(\times \) other (specify documents): NOTICE TO PLAINITFF; (BLANK) CASE MANAGEMENT				
STATEMENT				
3. a. Party served: (specify name of party as shown on docur	nents served):			
GE HEALTHCARE BIO-SCIENCES CORP.	described as a subject on an outhorized egent			
b. \(\sigma\)Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent				
(and not a person under item 5b on whom substituted service was made)(specify name and relationship to the party named in item 3a): MARGARET WILSON, PROCESS SPECIALIST,				
REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF GE HEALTHCARE				
BIO-SCIENCES CORP.				
4. Address where the party was served:				
818 WEST 7 TH STREET, LOS ANGELES, CA 900	17			
5. Leanuard the north Johank amount have				
 I served the party (check proper box) a. by personal service. I personally delivered the docume 	nts listed in item 2 to the party or person authorized			
to receive service of process for the party (1) on (date):	10-26-07 (2) at: (time): 2:45PM			
b. Dy substituted service. On (date): at: (time)	. I left the documents listed in item 2 with or in the			
presence of (name and title or relationship to the person	indicatd in item 3b):			
(1)☐ (business) a person at least 18 years of age apparently	in charge at the office or usual place of business			
of the person to be served. I informed him or her of the				
(2)☐ (home) a competent member of the household (at least place of abode of the party. I informed him or her of the	18 years of age) at the dwelling house or usual general nature of the papers.			
(3)☐ (physical address unknown) a person at least 18 year address of the person to be served, other than a United S him or her of the general nature of the papers.	s of age apparently in charge at the usual mailing States Postal Service post office box. I informed			
(4)☐ I thereafter mailed (by first-class, postage prepaid) copie	es of the documents to the person to be served			
(T)[I title out to ittoriou (b) that allow, produgo proports out				
	1			

;	at the place where the co (date):	pies were left (Code Civ. Prod (city):	c, § 415.20). I mailed the documents on or ☐ a declaration of mailing is attached.
(5) [, ,		ken first to attempt personal service.
c. addre (1) (d	by mail and acknowle ss shown in item 4, by tate):	dgment of receipt of servi first-class mail, postage pre	ce. I mailed the documents listed in item 2 to the party, to the paid, (2) (city):
envel Proc.	ope addressed to me. (A , § 415.30.)	Attach completed Notice and	nt of Receipt (form 982(a)(4)) and a postage-paid return di Acknowledgement of Receipt (form 982(a)(4).) (Code Civ. trequested. (Code Civ. Proc., § 415.40.)
d. 🔲	by other means (speci	ify means of service and au	horizing code section):
	Additional page describ	oing service is attached. ved" (on the summons) wa	as completed as follows:
	as an individual defer	*	
b. 🗌		nder the fictitious name of	(specify):
		(v): GE HEALTHCARE	BIO-SCIENCES CORP.
0. <u>p</u>	-	g Code of Civil Procedure	
	☐ 416.10 (corpor	-	415.95 (business organization, form unknown)
	416.20 (defund	•	☐ 416.60 (minor)
	•		416.70 (ward or conservatee)
		ation or partnership)	416.90 (authorized person)
	☐ 416.50 (public	•	415.46 (occupant)
	D : voice (passie	with the same of t	other:
a. b.	n who served papers Name: CHRISTOPHEI Address: NATIONWID	R PONCE E LEGAL, INC.	
		SUITE #500, SAN FRANC	CISCO, CA 94109
	Telephone number: (4		
	The fee for service wa I am:	5. 4	
		California process server.	
	• • • • • • •	<u>-</u>	and Professions Code section 22350(b).
	(3) ⊠ registered Califo		
		owner 🛛 employee 🗌	independent contractor
		istration No.: 5484	·
	(iii) Cou	nty: LOS ANGELES	
8. ⊠ I de∈ Or	clare under penalty of	perjury under the laws of the	ne State of California that the foregoing is true and correct.
9.	a California sherif or r	marshal and I certify that the	ne foregoing is true and correct.
Date: OCTOE	BER 26, 2007		
CHRISTOPH Name of pers	ER PONCE on who served papers	/Sheriff or Marshal	(signature)

——————————————————————————————————————	03/2007 Tage 3 01 10			
ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address) LAWRENCE J. GORNICK (SBN 136290)	FOR COURT USE ONLY			
LEVIN SIMES KAISER & GORNICK	ENDORSED FILED			
44 MONTGOMERY STREET, SUITE 3600	SUPERIOR COURT			
SAN FRANCISCO, CA 94104	COUNTY OF SAN FRANCISCO			
TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270	NOV 7 and			
E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): PLAINTIFFS	NOV 7 2007			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO	GORDON PARK-LI, CLERK			
STREET ADDRESS: 400 MCALLISTER STREET MAILING ADDRESS:				
CITY AND ZIP CODE: SAN FRANCISCO, CA 94102 BRANCH NAME:	BY: Deputy Clerk			
PLAINTIFF/PETITIONER:	CASE NUMBER:			
PETER JAY GERBER and MIRIAM GOLDBERG	CGC-07-468577			
DEFENDANT/RESPONDENT: BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al				
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:			
DATE: TIME: DEPT:	3003612			
(Separate proof of service is required for each	party party)			
At the time of service I was at least 18 years of age and not a party to 1.	•			
2. I served copies of :	and detroit.			
a. 🛛 summons				
b. 🛛 complaint				
c. 🛛 Alternative Dispute Resolution (ADR) package				
d. Civil Case Cover Sheet (served in complex cases only)				
e. Cross-complaint				
f. other (specify documents): NOTICE TO PLAINITFF; (BLA	NK) CASE MANAGEMENT			
STATEMENT				
3. a. Party served: (specify name of party as shown on documents served): GENERAL ELECTRIC COMPANY				
b. Person (other than the party in item 3a) served on behalf of	an entity or as an authorized agent			
(and not a person under item 5b on whom substituted service was made)(specify name and				
relationship to the party named in item 3a): MARGARET WILSON, PROCESS SPECIALIST,				
REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF GENERAL ELECTRIC COMPANY				
4. Address where the party was served: 818 WEST 7 TH STREET, LOS ANGELES, CA 90017				
818 WEST 7" STREET, LOS ANGELES, CA 90017				
5. I served the party (check proper box)				
a. \(\subseteq \text{ by personal service.} \) I personally delivered the documents listed in item 2				
to receive service of process for the party (1) on (date): 10-26-07(2) at: (ti	•			
 by substituted service. On (date): at: (time) . I left the documents listed in item 2 with or in the presence of (name and title or relationship to the person indicated in item 3b): 				
(1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business				
of the person to be served. I informed him or her of the general nature of the papers.				
(2)☐ (home) a competent member of the household (at least 18 years of age) a place of abode of the party. I informed him or her of the general nature of				
(3) (physical address unknown) a person at least 18 years of age apparent address of the person to be served, other than a United States Postal Serv him or her of the general nature of the papers.				
(4)☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served				
	1			
	•			

	roc., § 415.20). I mailed the documents on
(4.7).	or \square a declaration of mailing is attached.
(5) I attach a declaration of diligence stating actions	
 c. by mail and acknowledgment of receipt of ser address shown in item 4, by first-class mail, postage p (1) (date): 	
(3) with two copies of the Notice and Acknowledge	(2) (city): nent of Receipt (form 982(a)(4)) and a postage-paid return and Acknowledgement of Receipt (form 982(a)(4).) (Code Civ.
(4) ☐ to an address outside California with return rece	ript requested. (Code Civ. Proc., § 415.40.)
d. D by other means (specify means of service and a	authorizing code section):
Additional page describing service is attached.	
6. The "Notice to the Person Served" (on the summons)	was completed as follows:
a. 🔲 as an individual defendant	
 b. as the person sued under the fictitious name of 	of (specify):
c.☐ as occupant	
d. 🛛 on behalf of (specify): GENERAL ELECT	"RIC COMPANY
under the following Code of Civil Procedure	e section:
416.10 (corporation)	415.95 (business organization, form unknown)
416.20 (defunct corporation)	416.60 (minor)
416.30 (joint stock company/association	n) 1 416.70 (ward or conservatee)
	416.90 (authorized person)
416.50 (public entity)	☐ 415.46 (occupant)
	other:
7 8	
7. Person who served papers	
a. Name: CHRISTOPHER PONCE	
b. Address: NATIONWIDE LEGAL, INC.	
1255 POST STREET, SUITE #500, SAN FRAN c. Telephone number: (415) 351-0400	ICISCO, CA 94109
d. The fee for service was: \$	
e. Jam:	
(1) Inot a registered California process server	•
(2) are exempt from registration under Business	and Professions Code section 22250/h)
(3) 🖾 registered California process server:	and Professions Code section 22000(b).
(i) ☐ owner ⊠ employee ☐	independent contractor
(ii) Registration No.: 5484	independent contractor
(iii) County: LOS ANGELES	
	the State of California that the foregoing is true and correct.
Or	the state of camornia that the lotegoing is true and correct.
I am a California sherif or marshal and I certify that t	he foregoing is true and correct.
Date: OCTOBER 26, 2007	
CHRISTOPHER PONCE	
Name of person who served papers/Sheriff or Marshal	Uk Kree
	(signature)

	NEY OR PARTY WITHOUT ATTO			FOR COURT USE ONLY
LAWRENCE J. GORNICK (SBN 136290)		ENDORSED FILED		
LEVIN SIMES KAISER & GORNICK		SUPERIOR COURT		
	ONTGOMERY STRI			COUNTY OF SAN FRANCISCO
	FRANCISCO, CA 94			COUNTY OF SAINTING 10:00
E-MAIL	HONE NO.: (415) 646-716 ADDRESS (Optional):		(415) 981-1270	NOV 7 2007
SUPE		ORNIA, COUNTY OF SAN	FRANCISCO	GORDON PARK-LI, CLERK
MAILING	TADDRESS: 400 MCALLISTER S GADDRESS:			1
	ND ZIP CODE: SAN FRANCISCO, H NAME:	CA 94102		BY:
	ITIFF/PETITIONER:	***************************************		CASE NUMBER:
1	R JAY GERBER and MIR	IAM GOLDBERG		CGC-07-468577
	NDANT/RESPONDENT:	AVED HEALTHCADE DUA	ARMACEUTICALS, INC., et al.	ļ
ONIC		SERVICE OF SUMMO		Ref. No. or File No.:
DATE				3003610
DATE	:	TIME:	DEPT:	
		(Separate proof of se	ervice is required for each party	server.)
1.	At the time of service		of age and not a party to this ac	
2.		•	, ,	
	a. 🛛 summons			
	b. 🔯 complaint			
	·	Dispute Resolution (/	ADR) package	
	d. Civil Case	Cover Sheet (served in	n complex cases only)	
	e. Cross-complaint			
	f. 🛛 other (speci	ify documents): NOTIC	E TO PLAINITFF; (BLANK)	CASE MANAGEMENT
	STATEMENT			
3.		ecify name of party as sho	wn on documents served):	
GE HEALTHCARE, INC.				
b. ⊠Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent				
(and not a person under item 5b on whom substituted service was made)(specify name and				
relationship to the party named in item 3a): MARGARET WILSON, PROCESS SPECIALIST,				
REGISTERED AGENT FOR SERVICE OF PROCESS ON BEHALF OF GE HEALTHCARE, INC.				
 Address where the party was served: 818 WEST 7TH STREET, LOS ANGELES, CA 90017 				
	818 WEST / ST	REET, LOS ANGELE	S, CA 90017	
E :	Leaning the marks (also also	annan hawl		
3 . i	I served the party (check)		the documents listed in item 2 to the	narty or person authorized
			on (date): 10-26-07 (2) at: (time): 2	
	b. 🔲 by substituted se	ervice. On (date):	at: (time) . I left the docume	nts listed in item 2 with or in the
	presence of (nam	e and title or relationship to	the person indicatd in item 3b):	
(1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.				
	•			
(2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.				
	address of the per		east 18 years of age apparently in ch n a United States Postal Service po s.	
			epaid) copies of the documents to the Civ. Proc., § 415.20). I mailed the c	
		·	•	
				1

	(date):	(city):	or ☐ a declaration of mailing is attached.
(5)	☐ I attach a declaration o	of diligence stating actions to	sken first to attempt personal service.
adk (1) (3) env Pro	dress shown in item 4, by f (date): with two copies of the velope addressed to me. (/ oc., § 415.30.)	irst-class mail, postage pre Notice and Acknowledgme Attach completed Notice an	ice. I mailed the documents listed in item 2 to the party, to the paid, (2) (city): nt of Receipt (form 982(a)(4)) and a postage-paid return d Acknowledgement of Receipt (form 982(a)(4).) (Code Civ. trequested. (Code Civ. Proc., § 415.40.)
d. [by other means (speci	fy means of service and au	thorizing code section):
6. The "t a. (b. [c.[as an individual defen as the person sued ur as occupant on behalf of (specify under the following	ved" (on the summons) wadant inder the fictitious name of vy): GE HEALTHCARE, Code of Civil Procedure ation) at corporation) ock company/association ation or partnership)	(specify):
a. b. c. d. e. 9. ∐ I de	Telephone number: (41 The fee for service was I am: (1) not a registered (2) exempt from registered Califor (i) ocili Registered Califor (ii) Counteclare under penalty of preservice (41)	E LEGAL, INC. SUITE #500, SAN FRANCE 5) 351-0400 :: \$ California process server: istration under Business at the process server: wher	and Professions Code section 22350(b).
CHRISTOPI	HER PONCE	Disable and the shall	OS-R-
rvance or per	son who served papers/s	onenii of Marshai	(signature)

ATTORNEY	OR PARTY WITHOUT ATTORN	(F) one and Address)		FOR COURT USE ONLY ENDORSED FILED
LAWRE	NCE J. GORNICK	(SBN 136290)		SUPERIOR COURT
LEVINS	SIMES KAISER & G	ORNICK	~	OUNTY OF SAN FRANCISCO
44 MON	TGOMERY STREET	ET, SUITE 3600	C	DON'T OF SAN FRANCISCO
SAN FF	RANCISCO, CA 941	04		NOV 7 2007
TELEPHON	ENO.: (415) 646-7160) FAX NO. (Optional): (415)	981-1270	1104 , 5001
I F_MAILADI	ORESS (Optional) :			GORDON PARK-LI, CLERK
ATTORNEY	FOR (Name): PLAINTIF	RNIA, COUNTY OF SAN FRANC	isco	
STREET AD	DRESS: 400 MCALLISTER ST	REET	В	Y:
AAATI IMIC AL	ODRESS: ZIP CODE: SAN FRANCISCO, C			
BRANCH N	AME:			CASE NUMBER:
PLAINT	FF/PETITIONER: JAY GERBER and MIRI	AM GOLDBERG		CGC-07-468577
1	· · · · · · · · · · · · · · · · · · ·			
BAYER	CORPORATION and BA	YER HEALTHCARE PHARMAC	EUTICALS, INC., et al.	Ref. No. or File No.:
	PROOF OF S	ERVICE OF SUMMONS		3003613
DATE:		TIME:	DEPT:	
L		(Sanamte proof of service	is required for each party se	erver.)
4		l was at least 18 years of age	e and not a party to this acti	on.
		I Was at least to years or ag	o deta trat at passay	
2.	I served copies of:			
	a. Summons			
	b. 🛛 complaint			
	 -	Dispute Resolution (ADR)		
	d. Civil Case	Cover Sheet (served in con	nplex cases only)	
	e. Cross-complaint			ASE MANAGEMENT
f. other (specify documents): NOTICE TO PLAINITFF; (BLANK) CASE MANAGEMENT				
	STATEMENT			
3.		pecify name of party as shown or		
			served on behalf of an en	tity or as an authorized agent de)/specify name and
	(and not a person	under item 5b on whom su	ibstituted service was ma	de)(specny name and
	molationship to the	. nadv named in item Jal.: L	ARRY LAWGUIN, ACCE	JED SERVICE OF PROCESS
(and not a person under item 5b on whom substituted service was marked by the party named in item 3a): LARRY LAWSON, ACCEPTED SERVICE OF PROCESS ON BEHALF OF MERRY X-RAY CHEMICAL CORP.				
ON BEHALF OF MERRY X-RAY CHEMICAL CONT. 4. Address where the party was served: 4444 VIEWRIDGE AVENUE, SAN DIEGO, CA 92123				
-	I served the party (check	k nroner hox)		
5.	— .		documents listed in item 2 to the	Party or person authorized
	to receive servi	ce of process for the party (1) on	(Outo): Ionganos (m) mis (inc.)	ents listed in item 2 with or in the
	b. by substituted	service. On (date): at: (arme and title or relationship to the	(time) . I left the docume person indicatd in item 3b):	
	processo or (in		noronthy in charge at the office (or usual place of business
(1) (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.				
(2) (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual				
(2) (home) a competent member of the nousehold (at least 10 years) place of abode of the party. I informed him or her of the general nature of the papers.				
			48 years of see sonarently in C	charge at the usual mailing
	address of the	derson to be served, other mail a	United States Postal Service p	ost office box. I informed
	him or her of th	e general nature of the papers.		
			aid) copies of the documents to	the person to be served
	(4)∐ ; thereaπer ma at the nlace wh	ailed (by first-class, postage preparent the copies were left (Code Ci	v. Proc., § 415.20). I mailed the	documents on
	(date):	(city):	or a declaration of n	naning is attached.
	` .			1

(5) I attach a declaration of diligence stating actions tak	en first to attempt personal service.
address shown in item 4, by first-class mail, postage prepared	a. I mailed the documents listed in item 2 to the party, to the aid, (2) (city):
(3) \(\bar{\cappa}\) with two copies of the Notice and Acknowledgment	of Receipt (form 982(a)(4)) and a postage-paid return Acknowledgement of Receipt (form 982(a)(4).) (Code Civ.
(4) ☐ to an address outside California with return receipt	requested. (Code Civ. Proc., § 415.40.)
d. by other means (specify means of service and auth	norizing code section):
Additional page describing service is attached.	lated on follows:
6. The "Notice to the Person Served" (on the summons) wa	s completed as follows.
a. 🔲 as an individual defendant	(if i)
b. as the person sued under the fictitious name of	(specify).
 c. ☐ as occupant d. ☐ on behalf of (specify): MERRY X-RAY CHE 	MICAL CORP
under the following Code of Civil Procedure:	
416.10 (corporation)	☑ 415.95 (business organization, form unknown)
416.20 (defunct corporation)	☐ 416.60 (minor)
416.30 (joint stock company/association)	
416.40 (association or partnership)	416.90 (authorized person)
416.50 (public entity)	415.46 (occupant)
	other:
 7. Person who served papers a. Name: KATHLEEN YOUNG b. Address: NATIONWIDE LEGAL, INC. 1255 POST STREET, SUITE #500, SAN FRANCE c. Telephone number: (415) 351-0400 d. The fee for service was: \$ e. I am: (1) □ not a registered California process server (2) □ exempt from registration under Business (3) ☒ registered California process server: (i) □ owner ☒ employee □ (ii) Registration No.: 5484 (iii) County: SAN FRANCISCO 8. ☒ I declare under penalty of perjury under the laws of to Or 9. □ I am a California sherif or marshal and I certify that to Date: OCTOBER 26, 2007 KATHLEEN YOUNG Name of person who served papers/Sheriff or Marshal 	and Professions Code section 22350(b). independent contractor he State of California that the foregoing is true and correct.
•	

of the person to be served. I informed him or her of the general nature of the papers. (2)☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers. (3) (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers. (4)☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served

at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on

ATTORNEY	OR PARTY WITHOUT ATTORNEY (name and Address)		ENDOBROTRIDUFFICIELY	
LAWRE	ENCE J. GORNICK (SBN 136290)	·	SUPERIOR COURT	
LEVIN	SIMES KAISER & GORNICK	O	DUNTY OF SAN FRANCISCO	
	NTGOMERY STREET, SUITE 3600 RANCISCO, CA 94104		NOV 7 2007	
SAN EDUCA	IE NO.: (415) 646-7160 FAX NO. (Optional): (415	981-1270	1404 , 2001	
E-MAIL ADI	DRESS (Optional):	, -	GORDON PARK-LI, CLERK	
ATTORNEY	FOR (Name): PLAINTIFFS OR COURT OF CALIFORNIA, COUNTY OF SAN FRANCE	CISCO	Y:	
STREET AL	DDRESS: 400 MCALLISTER STREET		Deputy Clerk	
MAILING AL	DDRESS: ZIP CODE: SAN FRANCISCO, CA 94102			
BRANCH N	IAME: IFF/PETITIONER:	 	CASE NUMBER:	
PETER.	JAY GERBER and MIRIAM GOLDBERG		CGC-07-468577	
DEFEND	DANT/RESPONDENT: CORPORATION and BAYER HEALTHCARE PHARMAC	EUTICALS INC., et al.		
DATER	PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.:	
DATE:	TIME:	DEPT:	3003605	
L	(Conomic proof of consise	is required for each party se	erver)	
4	At the time of service I was at least 18 years of ag			
1. 2.	I served copies of :	o dita tiot a party to time area	•	
	a. 🛛 summons			
	b. 🛛 complaint			
	c. Alternative Dispute Resolution (ADR)	package		
	d. Civil Case Cover Sheet (served in com	nplex cases only)		
	e. Coross-complaint			
f. 🖂 other (specify documents): NOTICE TO PLAINITFF; (BLANK) CASE MANAGEMENT				
	STATEMENT			
3.	a. Party served: (specify name of party as shown on	documents served):		
	MCKESSON CORPORATION		its or on an authorized agent	
	 b. ⊠Person (other than the party in item 3a) s (and not a person under item 5b on whom su 	hetituted service was mad	ie) (specify name and	
	relationship to the party named in item 3a): B	ECKY DEGEORGE. PRO	CESS SPECIALIST,	
	CSC LAWYERS, INC., REGISTERED AGEN	IT FOR SERVICE OF PR	OCESS ON BEHALF OF	
	MCKESSON CORPORATION			
4.	Address where the party was served:			
	2730 GATEWAY OAKS DRIVE, SUITE 100,	SACRAMENTO, CA 958	33	
E 1	served the party (check proper box)			
J. 1	a 🔀 by personal service. I personally delivered the d	ocuments listed in item 2 to the	party or person authorized	
	to receive service of process for the party (1) on (date): 10-26-07 (2) at: (time): 2:	50PM Its listed in item 2 with or in the	
	b. Dy substituted service. On (date): at: (I presence of (name and title or relationship to the		K\$ IS(80 III ROTH & WILL OF III ING	
	(1)☐ (business) a person at least 18 years of age app	arently in charge at the office or	usual place of business	
	of the person to be served. I informed him or her	of the general nature of the pap	ers.	
	(2)☐ (home) a competent member of the household (a place of abode of the party. I informed him or her	at least 18 years of age) at the d of the general nature of the par	lwelling house or usual Pers.	
	(3) (physical address unknown) a person at least address of the person to be served, other than a thirm or her of the general nature of the papers.	18 years of age apparently in ch United States Postal Service pos	arge at the usual mailing st office box. I informed	
	(4) I thereafter mailed (by first-class, postage prepai	d) copies of the documents to th	e person to be served	
	.,		1	

at the place where the copies were left (Code Civ. Po (date): (city):	roc., § 415.20). I mailed the documents on or
(5) 🔲 I attach a declaration of diligence stating actions	•
 c. by mail and acknowledgment of receipt of ser address shown in item 4, by first-class mail, postage pt (1) (date): (3) with two copies of the <i>Notice and Acknowledgmenvelope</i> addressed to me. (Attach completed Notice a Proc., § 415.30.) (4) to an address outside California with return received. 	vice. I mailed the documents listed in item 2 to the party, to the repaid, (2) (city): nent of Receipt (form 982(a)(4)) and a postage-paid return and Acknowledgement of Receipt (form 982(a)(4).) (Code Civ. ipt requested. (Code Civ. Proc., § 415.40.)
 d. by other means (specify means of service and a	was completed as follows: of (specify):
d. 🛛 on behalf of (specify): MCKESSON COR	PORATION
under the following Code of Civil Procedur	
416.10 (corporation)	☑ 415.95 (business organization, form unknown)
416.20 (defunct corporation)	☐ 416.60 (minor)
416.30 (joint stock company/association	n) 🗌 416.70 (ward or conservatee)
416.40 (association or partnership)	☐ 416.90 (authorized person)
416.50 (public entity)	☐ 415.46 (occupant) ☐ other:
 7. Person who served papers a. Name: GUILLERMO TALAMANTES b. Address: NATIONWIDE LEGAL, INC. 1255 POST STREET, SUITE #500, SAN FRANCE. C. Telephone number: (415) 351-0400 d. The fee for service was: \$ e. I am: (1) □ not a registered California process server (2) □ exempt from registration under Business (3) ☒ registered California process server: (i) □ owner ☒ employee □ (ii) Registration No.: 2001-23 (iii) County: SACRAMENTO 8. ☒ I declare under penalty of perjury under the laws of Or 9. □ I am a California sherif or marshal and I certify that 	r. and Professions Code section 22350(b). independent contractor the State of California that the foregoing is true and correct
Date: OCTOBER 26, 2007	Α.
GUILLERMO TALAMANTES Name of person who served papers/Sheriff or Marshal	(signature)

2

ATTORNEY OR PARTY WITHOUT ATTORNEY (name and Address)	FOR COURT USE ONLY			
LAWRENCE J. GORNICK (SBN 136290)	ENDORSED FILED			
LEVIN SIMES KAISER & GORNICK	SUPERIOR COURT			
44 MONTGOMERY STREET, SUITE 3600	COUNTY OF SAN FRANCISCO			
SAN FRANCISCO, CA 94104 TELEPHONE NO.: (415) 646-7160 FAX NO. (Optional): (415) 981-1270 E-MAIL ADDRESS (Optional):	NOV 7 2007			
ATTORNEY FOR (Name): PLAINTIFFS				
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO STREET ADDRESS: 400 MCALLISTER STREET	GORDON PARK-LI, CLERK			
MAILING ADDRESS: CITY AND ZIP CODE: SAN FRANCISCO, CA 94102	Deputy Clerk			
BRANCH NAME: PLAINTIFF/PETITIONER:	CASE NUMBER:			
PETER JAY GERBER and MIRIAM GOLDBERG	CGC-07-468577			
DEFENDANT/RESPONDENT:				
BAYER CORPORATION and BAYER HEALTHCARE PHARMACEUTICALS, INC., et al. PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:			
	3003602			
DATE: DEPT:				
(Separate proof of service is required for each party				
1. At the time of service I was at least 18 years of age and not a party to this a	ction.			
2. I served copies of :				
a. 🛛 summons				
b. 🖾 complaint				
c. 🛛 Alternative Dispute Resolution (ADR) package				
d. Civil Case Cover Sheet (served in complex cases only)				
e. Cross-complaint				
f. other (specify documents): NOTICE TO PLAINITFF; (BLANK)	CASE MANAGEMENT			
STATEMENT				
3. a. Party served: (specify name of party as shown on documents served):				
BMC DIAGNOSTICS, INC.	entity or as an authorized agent			
 b. ⊠Person (other than the party in item 3a) served on behalf of an element of an element	sade)/specify name and			
(and not a person under item 35 on whom 35): PING KHEANG	ACCOUNTS PAYARI F			
relationship to the party named in item 3a): PING KHEANG, ACCOUNTS PAYABLE, ACCEPTED SERVICE OF PROCESS ON BEHALF OF BMC DIAGNOSTICS, INC.				
4. Address where the party was served:	1007700, N10.			
2000 POWELL STREET, SUITE 1050, EMERYVILLE, CA 94608				
2000 POTTELL STREET, SOITE 1950, EMBILITALE, OR STOOD				
5. I served the party (check proper box)				
a 🔀 by personal service. I personally delivered the documents listed in item 2 to t	he party or person authorized			
to receive service of process for the party (1) on (date): 10-26-07 (2) at: (time):	2:55PM			
 b, by substituted service. On (date): at: (time) . I left the document of the person indicated in item 3b): 	nents listed in item 2 with or in the			
(1) (business) a person at least 18 years of age apparently in charge at the office	or usual place of business			
of the person to be served. I informed him or her of the general nature of the p	apers.			
(2) (home) a competent member of the household (at least 18 years of age) at the place of abode of the party. I informed him or her of the general nature of the party.	e dwelling house or usual papers.			
(3)☐ (physical address unknown) a person at least 18 years of age apparently in				
address of the person to be served, other than a United States Postal Service	post office box. I informed			
him or her of the general nature of the papers.				
(4)☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to	the person to be served			
at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed th	e documents on			
	1			

- (1) not a registered California process server.
- (2) are exempt from registration under Business and Professions Code section 22350(b).
- (3) I registered California process server:
 - (i) 🛛 owner 🗌 employee 🗌 independent contractor
 - (ii) Registration No.: 2005-929
 - (iii) County: SAN FRANCISCO

8. 🛛 I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Or

9. I am a California sherif or marshal and t certify that the foregoing is true and correct.

Date: OCTOBER 26, 2007

ORLANDO MARTINEZ

Name of person who served papers/Sheriff or Marshal

	at the place where (date):	the copies were left (Code C (city):	iv. Proc., § 415.20). I mailed the	documents on
//	•	` •••	or 🔲 a declaration of m	
			tions taken first to attempt perso	•
(1 (3 er Pr) (date):)	of the Notice and Acknowle me. (Attach completed Not	ge prepaid, (2) (city): edament of Receint (form 982):	nts listed in item 2 to the party, to the a)(4)) and a postage-paid return Receipt (form 982(a)(4).) (Code Civ.
			and authorizing code section):	, ,
6. The " a. b.	Notice to the Perso ☐ as an individual	lescribing service is attache in Served" (on the summo defendant ued under the fictitious na	ns) was completed as follows	::
		specify): BAYER HEAL	THCARE PHARMACEUTI	CALS. INC
	under the fol ☐ 416.10 (d ☐ 416.20 (d ☐ 416.30 (je	lowing Code of Civil Proce orporation) efunct corporation) pint stock company/associ ssociation or partnership)	edure section: \times 415.95 (business o \times 416.60 (minor) ation) \times 416.70 (ward or co	rganization, form unknown)
a. b. c. d. e. 8. 🖾 I d	Address: NATION 1255 POST STRI Telephone number The fee for service I am: (1) not a regist (2) exempt from (3) registered (i) (ii) (iii) eclare under penalt	MO TALAMANTES IWIDE LEGAL, INC. EET, SUITE #500, SAN FI er: (415) 351-0400 e was: \$ tered California process se m registration under Busin California process server: Owner © employee Registration No.: 2001-23 County: SACRAMENTO y of perjury under the laws	erver. less and Professions Code so lines independent contractor	at the foregoing is true and correct.
	BER 26, 2007	and the state of t	nat the loregoing is true and t	
GUILLERM	O TALAMANTES	pers/Sheriff or Marshal	(Signature)	18 When-

Form Adopted for Mandatory Use Judicial Council of California POS-010 [Rev. January 1, 2007]

1

Case .	3.07-64-05916-35	vv Document 2:	5-Z FI	led 12/03/200	7 Page 16 01 16	
	(date):	(city):	or 🗌 a d	eclaration oailing	is attached.	
(5)	(5) I attach a declaration of diligence stating actions taken first to attempt personal service.					
add (1) (ress shown in item 4, by to date):	first-class mail, postage p	prepaid, (2) (city):		sted in item 2 to the party, to the	
env	 with two copies of the elope addressed to me. (a., § 415.30.) to an address outside 	Attach completed Notice	and Acknow	ledgement of Recei	and a postage-paid return ipt (form 982(a)(4).) (Code Civ, § 415.40.)	
d . [by other means (spec	ify means of service and	authorizing o	ode section):		
	Additional page descrit	oing service is attached.				
6. The "N	lotice to the Person Ser	ved" (on the summons)) was comple	eted as follows:		
	🗌 as an individual defe					
	☐ as the person sued u☐ as occupant	nder the fictitious name	e of (specify)	:		
	on behalf of (speci	ty): BAYER CORPO	RATION			
		g Code of Civil Procedu	ure section:			
	☐ 416.10 (corpor	ration)			nization, form unknown)	
	☐ 416.20 (defund			60 (minor)		
	☐ 416.30 (joint s	tock company/associati				
	☐ 416.40 (assoc	iation or partnership)		90 (authorized per	rson)	
	☐ 416.50 (public	entity)	☐ 415. ☐ othe	46 (occupant) r:		
a.	Telephone number: (4	R PONCE DE LEGAL, INC. , SUITE #500, SAN FR/ 115) 351-0400	ancisco, (CA 94109		
e.	l am:					
	 (1) ☐ not a registered California process server. (2) ☐ exempt from registration under Business and Professions Code section 22350(b). (3) ☒ registered California process server: (i) ☐ owner ☒ employee ☐ independent contractor 					
		gistration No.: 5484	□ machen	Getif Collinacio		
		inty: LOS ANGELES				
	leclare under penalty of	perjury under the laws	of the State	of California that t	the foregoing is true and correc	
	Or 9. I am a California sherif or marshal and I certify that the foregoing is true and correct.					
Date: OCT	OBER 26, 2007					
				Λ		
	PHER PONCE erson who served paper	s/Sheriff or Marshal		(signature)	Pur	
				(Signature)		